



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5
230 SOUTH DEARBORN ST.
CHICAGO, ILLINOIS 60604

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REPLY TO ATTENTION OF: 5RA-14

Honorable Evan Bayh
Governor of Indiana
Indianapolis, Indiana 46206

Dear Governor Bayh:

It is with great pleasure that I am today approving the State of Indiana NPDES General Permits Program in accordance with the National Pollutant Discharge Elimination System General Permits Program, 40 CFR 122.28.

Your State is the nineteenth State to request and receive approval for administration of this important program. I congratulate you and your staff for moving to assume administration of this important environmental program.

We look forward to working with you and the Indiana Department of Environmental Management in continued efforts toward the prevention and control of water pollution in the State of Indiana.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Valdas V. Adamkus".

Valdas V. Adamkus
Regional Administrator

REVISION OF INDIANA'S NATIONAL POLLUTANT DISCHARGE ELIMINATION
SYSTEM (NPDES) PROGRAM TO ISSUE GENERAL PERMITS.

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AGENCY: Environmental Protection Agency.

ACTION: Notice of Approval of the National Pollutant Discharge
Elimination System General Permits Program of the State of
Indiana.

SUMMARY: On _____, the Regional Administrator for the
Environmental Protection Agency (EPA), Region V approved the
State of Indiana's National Pollutant Discharge Elimination
System (NPDES) General Permits Program. This action authorizes
the State of Indiana to issue general permits in lieu of
individual NPDES permits in appropriate cases.

FOR FURTHER INFORMATION CONTACT: Joan M. Karnauskas, Chief,
Permits Section, U.S. EPA, Region V, 230 South Dearborn Street,
Chicago, Illinois 60604, (312) 353-2105.

SUPPLEMENTARY INFORMATION:

I. Background

EPA regulations at 40 CFR 122.28 provide for the issuance of
general permits to regulate discharges of wastewater which result
from substantially similar operations, are of the same type
wastes, require the same effluent limitations or operating
conditions, require similar monitoring, and are more
appropriately controlled under a general permit rather than by
individual permits.

Indiana was authorized to administer the NPDES program in January 1975. Their program, as previously approved, did not include provisions for the issuance of general permits. There are several categories which could appropriately be regulated by general permits. For these reasons, the IDEM requested a revision of their NPDES program to provide for issuance of general permits. The discharges intended to be covered by general permits include: non-contact cooling water discharges of 1 million gallons per day or less, storm water discharges, coal mine and terminal discharges, stone/sand/gravel quarry discharges, pipeline hydrostatic test water discharges, discharges from potable water treatment plants, petroleum terminal/tank farm discharges, groundwater remediation project discharges, returned supernatant from dredging operations, and semi-public and other similar sanitary treatment plants.

Each general permit will be subject to EPA review and approval as provided by 40 CFR 123.44. Public notice and opportunity to request a hearing is also provided for each general permit.

II. Discussion

The State of Indiana submitted in support of its request, copies of the relevant statutes and regulations. The State has also submitted a statement by the Attorney General certifying, with appropriate citations to the statutes and regulations, that the State has adequate legal authority to administer the general permits program as required by 40 CFR 123.23(c). In addition, the State submitted a program description supplementing the

STATE NPDES PROGRAM STATUS

2/27/91

	Approved State NPDES Permit Program	Approved to Regulate Federal Facilities	State Approved State Pretreatment Program	Approved General Permit Program
Alabama	10/19/79	10/19/79	10/19/79	--
Arkansas	11/01/86	11/01/86	11/01/86	11/01/86
California	05/14/73	05/05/78	09/22/89	09/22/86
Colorado	03/27/75	--	--	03/04/86
Connecticut	09/26/73	01/09/89	06/03/81	--
Delaware	04/01/74	--	--	--
Georgia	06/28/74	12/08/80	03/12/81	01/28/89
Hawaii	11/28/74	06/01/79	08/12/83	--
Illinois	10/23/77	09/20/79	--	01/04/86
Indiana	01/01/75	12/09/78	--	/--/9
Iowa	08/10/78	08/10/78	06/03/81	--
Kansas	06/28/74	08/28/85	--	--
Kentucky	09/30/83	09/30/83	09/30/83	09/30/86
Maryland	09/05/74	11/10/87	09/30/85	--
Michigan	10/17/73	12/09/78	06/07/83	--
Minnesota	06/30/74	12/09/78	07/16/79	12/15/86
Mississippi	05/01/74	01/28/83	05/13/82	--
Missouri	10/30/74	06/26/79	06/03/81	12/12/86
Montana	06/10/74	06/23/81	--	04/29/86
Nebraska	06/12/74	11/02/79	09/07/84	07/20/86
Nevada	09/19/75	08/31/78	--	--
New Jersey	04/13/82	04/13/82	04/13/82	04/13/86
New York	10/28/75	06/13/80	--	--
North Carolina	10/19/75	09/28/84	06/14/82	--
North Dakota	06/13/75	01/22/90	--	01/22/89
Ohio	03/11/74	01/28/83	07/27/83	--
Oregon	09/26/73	03/02/79	03/12/81	02/23/86
Pennsylvania	06/30/78	06/30/78	--	--
Rhode Island	09/17/84	09/17/84	09/17/84	09/17/86
South Carolina	06/10/75	09/26/80	04/09/82	--
Tennessee	12/28/77	09/30/86	08/10/83	--
Utah	07/07/87	07/07/87	07/07/87	07/07/86
Vermont	03/11/74	--	03/16/82	--
Virgin Islands	06/30/76	--	--	--
Virginia	03/31/75	02/09/82	04/14/89	--
Washington	11/14/73	--	09/30/86	09/26/86
West Virginia	05/10/82	05/10/82	05/10/82	05/10/86
Wisconsin	02/04/74	11/26/79	12/24/80	12/19/86
Wyoming	01/30/75	05/18/81	--	--
Totals	39	34	27	19

Number of Complete NPDES Programs (Federal Facilities, Pretreatment, General Permits) = 13

under the Natural Gas Act, and (c) Arkla's willingness to provide hookups for its sister division, Arkansas Louisiana Gas Company, a division of Arkla (ALG).

Southwestern contends that it has requested interstate transportation service and a tap from Arkla's interstate pipeline division rather than either direct sales from Arkla or local distribution service from ALG. It is alleged, that for whatever reason, Arkla refuses to serve Southwestern through the requested tap even though (a) Arkla has numerous existing direct industrial customers and (b) Arkla is willing to provide taps to serve new users at the request of its affiliate ALG. Southwestern provides several instances of Arkla's refusal to transport gas to a delivery point for Southwestern.

Southwestern requests that the Commission eliminate discrimination under Arkla's blanket transportation and construction certificates by ordering Arkla to provide the necessary tap and firm transportation services requested by Southwestern. Southwestern contends that unless the Commission orders Arkla to cure discrimination by constructing a tap to serve Southwestern, Arkla would continue to discriminate against Southwestern, while improperly favoring its affiliate, ALG, and users behind ALG in the construction of taps.

Any person desiring to be heard or to make any protest with reference to said complaint should on or before May 17, 1991, file with the Federal Energy Regulatory Commission, Washington, DC 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211). All protest filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's rules. Answers to the complaint shall also be due on or before May 17, 1991.

Lois D. Cashell,

Secretary.

[FR Doc. 91-10683 Filed 5-6-91; 8:45 am]

BILLING CODE 6717-01-M

ENVIRONMENTAL PROTECTION AGENCY

[FRL-3954-9]

Revision of Indiana's National Pollutant Discharge Elimination System (NPDES) Program to Issue General Permits

AGENCY: Environmental Protection Agency.

ACTION: Notice of approval of the National Pollutant Discharge Elimination System General Permits Program of the State of Indiana.

SUMMARY: On April 2, 1991, the Regional Administrator for the Environmental Protection Agency (EPA), Region V approved the State of Indiana's National Pollutant Discharge Elimination System (NPDES) General Permits Program. This action authorizes the State of Indiana to issue general permits in lieu of individual NPDES permits in appropriate cases.

FOR FURTHER INFORMATION CONTACT: Joan M. Karnauskas, Chief, Permits Section, U.S. EPA, Region V, 230 South Dearborn Street, Chicago Illinois 60604, (312) 353-2105.

SUPPLEMENTARY INFORMATION:

I. Background

EPA regulations at 40 CFR 122.28 provide for the issuance of general permits to regulate discharges of wastewater which result from substantially similar operations, are of the same type wastes, require the same effluent limitations or operating conditions, require similar monitoring, and are more appropriately controlled under a general permit rather than by individual permits.

Indiana was authorized to administer the NPDES program in January 1975. Their program, as previously approved, did not include provisions for the issuance of general permits. There are several categories which could appropriately be regulated by general permits. For these reasons, the IDEM requested a revision of their NPDES program to provide for issuance of general permits. The discharges intended to be covered by general permits. The discharges intended to be covered by general permits include: Non-contact cooling water discharges of 1 million gallons per day or less, storm water discharges, coal mine and terminal discharges, stone/sand/gravel

quarry discharges, pipeline hydrostatic test water discharges, discharges from potable water treatment plants, petroleum terminal/tank farm discharges, groundwater remediation project discharges, returned supernatant from dredging operations, and semi-public and other similar sanitary treatment plants.

Each general permit will be subject to EPA review and approval as provided by 40 CFR 123.44. Public notice and opportunity to request a hearing is also provided for each general permit.

II. Discussion

The State of Indiana submitted in support of its request, copies of the relevant statutes and regulations. The State has also submitted a statement by the Attorney General certifying, with appropriate citations to the statutes and regulations, that the State has adequate legal authority to administer the general permits program as required by 40 CFR 123.23(c). In addition, the State submitted a program description supplementing the original application for NPDES program authority to administer the general permits program, including the authority to perform each of the activities set forth in 40 CFR 122.28.

Based on its review of Indiana's legal authority, U.S. EPA determined that no statutory or regulatory changes were necessary for the State to administer a general permits program. This change was thus determined to be a non-substantial program modification. Further, based upon Indiana's program description and upon its experience in administering an approved NPDES program, EPA has concluded that the State will have the necessary procedures and resources to administer the general permits program. As a result, U.S. EPA has approved Indiana's request for General Permits Program delegation.

III. Federal Register Notice of Approval of State NPDES Programs or Modifications

EPA will provide Federal Register notice of any action by the Agency approving or modifying a State NPDES program. The following table will provide the public with an up-to-date list of the status of NPDES permitting authority throughout the country. Today's Federal Register notice is to announce the approval of Indiana's authority to issue general permits.

STATE NPDES PROGRAM STATUS

[2/27/91]

	Approved state NPDES permit program	Approved to regulate federal facilities	State approved state pretreatment program	Approved general permit program
Alabama.....	10/19/79	10/19/79	10/19/79	
Arkansas.....	11/01/86	11/01/86	11/01/86	11/01/86
California.....	05/14/73	05/05/78	09/22/89	09/22/89
Colorado.....	03/27/75			03/04/83
Connecticut.....	09/26/73	01/09/89	06/03/81	
Delaware.....	04/01/74			
Georgia.....	06/28/74	12/08/80	03/12/81	01/28/91
Hawaii.....	11/28/74	06/01/79	08/12/83	
Illinois.....	10/23/77	09/20/79		01/04/84
Indiana.....	01/01/75	12/09/78		/—/91
Iowa.....	08/10/78	08/10/78	06/03/81	
Kansas.....	06/28/74	08/28/85		
Kentucky.....	09/30/83	09/30/83	09/30/83	09/30/83
Maryland.....	09/05/74	11/10/87	09/30/85	
Michigan.....	10/17/73	12/09/78	06/07/83	
Minnesota.....	06/30/74	12/09/78	07/16/79	12/15/87
Mississippi.....	05/01/74	01/28/83	05/13/82	
Missouri.....	10/30/74	06/26/79	06/03/81	12/12/85
Montana.....	06/10/74	06/23/81		04/29/83
Nebraska.....	06/12/74	11/02/79	09/07/84	07/20/89
Nevada.....	09/19/75	08/31/78		
New Jersey.....	04/13/82	04/13/82	04/13/82	04/13/82
New York.....	10/28/75	6/13/80		
North Carolina.....	10/19/75	09/28/84	06/14/82	
North Dakota.....	06/13/75	01/22/90		01/22/90
Ohio.....	03/11/74	01/28/83	07/27/83	
Oregon.....	09/26/73	03/02/79	03/12/81	02/23/82
Pennsylvania.....	06/30/78	06/30/78		
Rhode Island.....	09/17/84	09/17/84	09/17/84	09/17/84
South Carolina.....	06/10/75	09/26/80	04/09/82	
Tennessee.....	12/28/77	09/30/86	08/10/83	
Utah.....	07/07/87	07/07/87	07/07/87	07/07/87
Vermont.....	03/11/74		03/16/82	
Virgin Islands.....	06/30/76			
Virginia.....	03/31/75	02/09/82	04/14/89	
Washington.....	01/14/73		09/31/86	09/26/89
West Virginia.....	05/10/82	05/10/82	05/10/82	05/10/82
Wisconsin.....	02/04/74	11/26/79	12/24/80	12/19/86
Wyoming.....	01/30/75	05/18/81		
Totals.....	39	34	27	19

Number of Complete NPDES programs (Federal Facilities, Pretreatment, General Permits) = 13

IV. Review Under Executive Order 12291 and the Regulatory Flexibility Act

The Office of Management and Budget has exempted this rule from the review requirements of Executive Order 12291 pursuant to section 8(b) of that Order.

Under the Regulatory Flexibility Act, EPA is required to prepare a Regulatory Flexibility Analysis for all rules which may have a significant impact on a substantial number of small entities. Pursuant to section 605(d) of the Regulatory Flexibility Act (5 U.S.C. 601 et seq.), I certify that this State General Permits program will not have a significant impact on a substantial number of small entities. Approval of the Indiana NPDES State General Permits Program establishes no new substantive requirements, nor does it alter the regulatory control over any industrial category. Approval of the Indiana NPDES State General Permits Program merely provides a simplified administrative process.

Dated: April 2, 1991.

Valdas V. Adamkus,
Regional Administrator.

[FR Doc. 91-10787 Filed 5-6-91; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL COMMUNICATIONS COMMISSION

Public Information Collection Requirement Submitted to Office of Management and Budget for Review

April 30, 1991.

The Federal Communications Commission has submitted the following information collection requirement to OMB for review and clearance under the Paperwork Reduction Act of 1980 (44 U.S.C. 3507).

Copies of this submission may be purchased from the Commission's copy contractor, Downtown Copy Center,

1114 21st Street, NW., Washington, DC 20036, (202) 452-1422. For further information on this submission contact Judy Boley, Federal Communications Commission, (202) 632-7513. Persons wishing to comment on this information collection should contact Jonas Neihardt, Office of Management and Budget, room 3235 NEOB, Washington, DC 20503, (202) 395-4814.

OMB Number: 3060-0420.

Title: Amendment of part 22 of the Commission's Rules to Revise Certain Filing Procedures for Mobile Services Division Applications.

Action: Extension.

Respondents: Businesses or other for-profit (including small businesses).

Frequency of Response: On occasion reporting.

Estimated Annual Burden: 16,110 responses; 2 hours average burden per response; 32,220 hours total annual burden.